

THE DAILY EMPIRE.

H. H. ROBINSON, EDITOR.
D. G. FITCH, ASSISTANT EDITOR.

Dayton, Ohio,

Tuesday, --- December 26, 1865.

Export Duties—A New Scheme to Rob the West.

New England has a scheme to alter the Federal Constitution so that export duties may be levied. The object is to get cotton ten or twenty cents cheaper than foreign nations can buy it, and pay the export duty to that amount. New England being in the Union, she would receive it free, and would have the entire control of the home market. She could raise the prices of her manufactures of cotton, and oblige the West, as the consumer, to pay it.

She—in connection with the Atlantic States—would also like to levy an export duty on breadstuffs raised in the West, as to cut us off from a foreign market, and oblige us to sell in the narrow and contracted market of the East. Glaring as these schemes are to impoverish the West to aggrandize the East, there are men and there is a party in the West that is stupid enough to favor them. Such a party deserves no other reward than to be always what they are—mere "drawers of water" to the "water" people themselves.—*Chn. Register.*

Yes to be sure "there are men and there is a party in the West stupid enough to favor them;" and we will add that we have an Editor up this way that glories in the thing. He boasted not long since of the ability of a "given number of Yankees" to force the adoption of their principles.

The scheme which the *Register* alludes to above, will be adopted. Mark that! There is no hope for the West, as long as the present party remains in power. The Representatives they send to Congress are men of no ability or standing in the community from which they are sent. They are generally of that type that take their cue from SUMNER, GREELEY, BRECHER & Co., and of course soon become permeated with New England ideas, and afterwards glory in their own shame, and the degradation and impoverishment of the section which they misrepresent. There is scarcely one of these individuals but is big with something of which he expects to be delivered before long. SUMNER has delivered himself of a regular Yankee bastard in the shape of a proposition to amend the Constitution, which, if adopted would insure the permanent ascendancy of New England, aided by a few subjugated individuals from the West.

Alexander H. Stephens.

The Southern correspondent of the Boston *Daily Advertiser* gives this interesting account of the Vice President of the late Confederacy:

While in Augusta the other day I saw Alex. H. Stephens—a little old man with most unobtrusive eyes—looking not so much like a human being as like a character from one of Dickens' stories. Yet if Georgian reverence any body it is Mr. Stephens; and there isn't the least question but that his presence in the State is beneficial in the best sense. He resists all importunities to make a public speech; but I am told that he converses freely with all who call upon him, and that he urges everybody to accept the issue of the war in the most cheerful and liberal spirit.

The Washington Monument.

A few days ago the *National Intelligencer* published an interesting historical sketch of the "Washington National Monument," a structure, the unfinished aspect of which is a downright eye-sore. In this little history is one dark page, which no doubt the writer would rather have omitted if accuracy and fidelity had permitted. It reads as follows:

There was a stene in the collection which, to the deep mortification and regret of all thoughtful and right-minded men of the country, we have to record as existing neither in this depository nor in the walls of the monument. Allusion is made to the beautiful block of African marble taken from the temple of Concord, in Rome, a contribution from the Roman Government through his holiness the Pope, its constituent head, and which was ruthlessly plundered in the night time by an infamous gang, and destroyed in the spring of 1854. The Washington *Speaker* states that atrocious act, but mentions was one of the brilliant deeds with which know-nothingism, then rampant, illustrated its glorious career! The stones presented by the Mormons and by the Mohammedans were allowed to remain undisturbed!

If restored, it would, no doubt, be safely protected; not so much because it was and would be a gift from the Pope, as because it would be "African Marble!"

The "Committee on Commerce" of the National House of Representatives has been instructed to inquire "what legislation, if any, is necessary for the safety and protection of persons traveling upon railroads in the United States, and to report by bill or otherwise." We incline to the opinion that this is a duty devolving upon the Legislatures of the several States. But that some steps should be taken to protect life from the carelessness of corporations and their agents none will deny. All the principal roads of the country have been overworked during the war. The rolling stock, the rails, the bridges, all need repairing. Unless this be done, accidents will multiply instead of decrease. The whole matter should be taken up by the several State Legislatures, the facts ascertained in an official manner, and such laws passed as will remedy the evil complained of.—*Phil. Adv.*

A FINE BLACKHEAD ROBERT.—The ladies' gallery in the House of Representatives is said to be now crowded daily by a bevy of negro wenches, who applaud abolition spouters on the floor, and practically exclude all white ladies from visiting Congress.

SUPERIOR COURT.

JUDGE HAYNES.

John R. Cobble vs. Assignee of W. W. Phillips vs. E. W. Davies as Administrator of D. Z. Pierce, dec'd.—Suit brought upon an account for work and labor as carriage makers alleged in said account for decedent, at his request—defense was first, that the account was settled—second, that if unsettled, it was barred by the statute of limitations; First, by the statute of limitations generally—and secondly by the statute, as applicable to Administrators. Jury trial, and verdict for the defendant. Oudin & Cahill for plaintiff, Conover & Craighead for the defendant.

Philip Green vs. Mary Shank.—Suit brought upon an alleged breach of contract—damages laid at \$300. Defendant had entered into a written lease, by which she agreed to lease certain real estate in Butler township of this county, for a period of three years. The defense was that a short time before the plaintiff was to take possession, that a verbal agreement was entered into by which the lease or written agreement was made null and void. Jury trial and verdict for plaintiff for \$100. Conover & Craighead, for plaintiff; J. H. Baggott for defendant.

John Kennedy, et al. vs. John Clingman, survivor of B. M. Ayres & Company.—Suit brought upon an accommodation check given by B. M. Ayres & Co., to Davis & Cuddy, and by them transferred to Gilbert Kennedy for money borrowed of him and, by Gilbert Kennedy transferred to John and Joseph Kennedy, the plaintiffs in this action. The principal defense made was that this was an accommodation check, given without any consideration and that the default thereon, attached to the defendant Clingman. Jury failed to agree upon a verdict. Cause continued. Honk & McMahon for plaintiff; Howard for defendant.

William Reed vs. Hubbard Jewett.—This suit was brought by the plaintiff against the defendant, a physician, for alleged malpractice in setting and treating a fractured limb. Defense was a general denial of all the allegations contained in the plaintiff's petition. Trial commenced before a jury, and after hearing the testimony in behalf of the plaintiff, and about one-half of that in behalf of the defense, the plaintiff, with the consent of the Court, withdrew a juror, and dismissed the case. Smith & Howard for plaintiff; Conover & Craighead and McMahon for defendant.

Wm. F. and J. P. Conly vs. the City of Dayton, and Abraham Lebold vs. the City of Dayton, and Henry Yost vs. the City of Dayton.—These actions were brought by those several plaintiffs, against the City of Dayton, for damages arising out of the riot of May 6, 1863, in which the office of the Dayton Journal and adjacent buildings were destroyed by fire. Defendant filed a general demurrer to each of the petitions, which were sustained by the Court. The plaintiffs refusing to further prosecute their claims, the actions were dismissed at their costs. Smith, Cuddy and Nolan for plaintiffs; Wm. Craighead, City Solicitor for defendant.

Jacob C. Kepler vs. Allen Bradford, Executor of Wm. Bradford, deceased. Action for equitable relief. Plaintiff claimed that he held certain real estate in trust for said Wm. Bradford deceased—and asked the Court to order the said Executor to take possession of the real estate mentioned, and out of said estate to refund to him the consideration money paid by him for said land to Abner Stevens and for such other relief as he might be entitled to in equity. Defense was a general denial of all the allegations of the plaintiff's petition. After hearing all the testimony, the Court held that no trust was established by the evidence and thereupon a judgment was rendered against the plaintiff for costs. Jordan for Plaintiff; Young for Defendant.

Martin Johnson's Adm'r., vs. Isaac Johnson and Others.—In this case proceedings were instituted by the plaintiff to establish a co-partnership between Martin Johnson, deceased, and his two brothers, Isaac and John Johnson. Defendants denied the existence of any such partnership. The case was tried by the Court, and the evidence being heard, by consent of parties, this case was continued to some future day of the present term for argument.

Jordan & Howard for plaintiff; McMahon, Craighead and Munger for defendants.

Wm. Hoffman, Sen. vs. P. B. Ballantrae.—Suit brought to recover rents alleged to be due and owing to plaintiff by defendant. Defendant alleged payment and claimed a set-off for services rendered plaintiff, as a physician, and for certain repairs done to the property occupied by defendant at the request of said Hoffman, which the plaintiff by his reply denied. This case was given to the Jury on Saturday afternoon. Failing to agree upon a verdict, the Jury was discharged. T. J. S. Smith for plaintiff; J. A. Jordan for defendant.

There is still a large amount of unfinished business upon the docket of the present term.

In passing we remark that the Court will hold another term, commencing on the second Monday in January, instead of the first Monday of February 1866.

Great excitement prevails in Galesburg, Ill., relative to the murder and robbery of a returned soldier. The comrades of the deceased completely destroyed the saloon in which the deed was perpetrated.

NEWS OF THE DAY.

The people of Virginia and North Carolina are apprehensive of an outbreak among the negroes during the holidays. The superintendent of the Richmond and Danville railroad has issued a notice that no freight will be received from December 21 to January 15. A Washington dispatch states that the negroes resident in that city are very perceptibly diminishing in number, from which fact is drawn the inference that they are gathering in the rural districts. Eighteen companies of home guards have been organized.

A New York dispatch states that there is highly important Fenian news in New York city. From the tenor of the dispatches received, it is said that united action is demanded, pecuniary and otherwise, to the full extent of the Brotherhood. The Senate were to hold an extraordinary session yesterday.

President Johnson has positively declined to accept a carriage made for him by the workmen of the army repair workshop after their working hours, and it has been purchased by Secretary Stanton.

It is asserted that in less than three months the French troops will all be withdrawn from Mexico.

A quorum of the Committee on Ways and Means will remain in session during the recess of Congress.

It is thought that an appropriation of \$1,000,000 will be necessary to support Indian Indians on the Plains.

A delegation of Mississippians on Thursday presented to President Johnson a petition for the pardon of Jefferson Davis.

The Terre Haute Railroad depot, at Indianapolis, was yesterday nearly destroyed by a locomotive explosion. Two men were mortally injured.

A fire at Fond du Lac on Thursday destroyed property to the value of \$50,000.

The Indiana Legislature yesterday adjourned its extra session.

In the case of A. H. Garland, of Arkansas, in the Supreme Court at Washington, Hon. Reverdy Johnson, on Saturday, delivered an able argument, taking the ground that the test-oath act was an *ex post facto* law.

At a caucus of the Southern Congressmen held remaining in Washington, it was decided that the entire body should return to their homes and await the action of Congress.

Special Notices.

Hoback's Bitters.
"There is many a true word spoken in jest," said a gentleman to his friend who remarked that "Greenbacks are good but Hobacks are better."

A Cough, Cold, or Sore Throat.
Requires IMMEDIATE ATTENTION, AND SHOULD BE CHECKED. IF ALLOWED TO CONTINUE, Irritation of the Lungs, a Permanent Throat Affection, or an Incurable Lung Disease IS OFTEN THE RESULT.

BROWN'S BRONCHIAL TROCHES
HAYNES & DEWEY, DISPENSERS TO THE PARTS, GIVE IMMEDIATE RELIEF.

For Bronchitis, Asthma, Catarrh, Consumption and Throat Diseases,

TROCHES ARE USED WITH ALWAYS GOOD SUCCESS.

SINGERS AND PUBLIC SPEAKERS
will find Troches useful in clearing the voice when taken before singing or speaking, and relieving the throat after an unusual exertion of the vocal organs. The Troches are recommended and prescribed by Physicians, and have had testimonials from eminent men throughout the country. Being an article of true merit, and having proved their efficacy by a test of many years, each year finds them in new localities a various parts of the world, and the Troches are universally pronounced better than other articles.

Obtain only "BROWN'S BRONCHIAL TROCHES," and do not take any of the worthless imitations that may be offered.

Sold everywhere in the United States, and in Foreign Countries, at 25 cents per box. *dec25-6mds*

Hoback's Bitters on the Battlefield.

Field.

It is satisfactory to know that our field hospitals are no longer marred by this life-saving preparation. Soldiers who, as private citizens, had become acquainted with its properties, have in many instances made a special request that HOBACK'S STOMACH BITTERS might be added to the medical stores of their regiments, and their wishes have not been unheeded. As a means of sustaining wounded men on the battle field, and of enabling troops to bear fatiguing marches under a blazing sun, it has been strenuously recommended by distinguished medical men, and the prospect is that it will eventually supersede all the adulterated tinctures, liquors and dangerous tonics that have heretofore been considered medicinal staples. The fact that a small quantity of the Bitters mixed with water from any of the Southern or Southern rivers will prevent from affecting the troops, and that it has borne in mind by Army Physicians, soldiers, and all who have occasion to visit those portions of our country. The man who uses HOBACK'S BITTERS in conformity with the directions, may at all distances intermittent fever and all other diseases generated by a season of an unwholesome atmosphere upon an overworked frame.

MEDICAL NOTICE.

Dr. E. COONE may be consulted as follows:
In KENIA at the Dayton House, on Thursdays, Nov. 22, 29, Dec. 6, 13, 20, 27, 34, 1865.
In DAYTON at the Tribune House, on Fridays, Nov. 24, Dec. 2, 9, 16, 23, 30, 1865.
In TROY at the Morris House, on Saturdays, Nov. 5, Dec. 30, Feb. 3, March 10, April 14.
In SPRINGFIELD at the White House, on Thursdays, Nov. 30, Jan. 4, Feb. 1, March 11, April 19.
Dr. COONE has had offices in each of the above places, and has been regularly visited for the past six years, and as he has treated and cured many patients, in each of the above places, he can give the best of references in each place, as to his skill.

Dr. COONE treats, and cures, all varieties of Chronic diseases, including those of the Eye and Ear; makes no charge for consultation; but if those who consult him desire treatment, he charges Cash for his Medicine.

Medicines that will last a patient from four to six months, cost from Five to Thirty dollars, in Cash. Address: Dr. E. COONE, *dec25-6mds*

The Louisville Courier says: "The Southern States are in the Union for all practical purposes, such as amending the constitution; and they are out of the Union for all practical purposes, such as taking seats in Congress."

New Advertisements.

FRANK SAUP.
—DRAFTER—
Watches, Clocks, Jewelry, SPECTACLES, Etc.,
No. 85 Jefferson St., DAYTON, O.
Particular attention paid to Repairing. *dec25-6mds*

J. E. WHITMORE. H. R. IAMS.
WHITMORE & IAMS,
Manufacturers and Dealers
—IN—
BOOTS, SHOES, HATS, CAPS,
—AND—
CLOTHING!
232 FIFTH STREET, (OREGON,) DAYTON, OHIO.

They keep a constant supply of
Piece Goods!
Which will be made up TO ORDER on the shortest notice and at the most
REASONABLE RATES.
"FITS" WARRANTED IN ALL CASES.
They also keep a full assortment of SHIRTS, COLLARS, CRAVATS, HOSIERY, TIES, &c. *dec25-6mds*

DANIEL R. WARNER'S ESTATE.—NOTICE IS hereby given, that the undersigned has been appointed and qualified as Executor of the Last Will and Testament of Daniel R. Warner, late of Montgomery County, Ohio, deceased.
dec25-6mds ABRAHAM WARNER.

Great Business Change!
REMOVAL
OF THE
Eagle Clothing Store!

H. SCHWARZ,
The enterprising proprietor of the well known Eagle Clothing Store, 108 Main Street, adjoining the Empire Office, will remove on the 1st of April, 1866, to his new business to
No. 118 Main Street, No. 118,
South of his present location. (The Grocery Store now occupied by Messrs. McIntire & Heard, where he is carrying on a Wholesale and Retail Manufacturing Clothing House, second to none in the West. He calls the special attention of his numerous customers and all those in want of fashionable and well made clothing, that he will commence selling off his entire stock of goods

Positively at Cost!
Consisting of
First-Class Frocks, OVERCOATS, COATS, BUSINESS SUITS, of his own selection, TRAVELLING SHIRTS, of every style and quality. DRAWERS, A heavy article of UNDERSHIRTS, &c., &c., &c.

The public will bear in mind that his stock of clothing was selected with great care, and being connected with a large manufacturing house in Cincinnati, enabled him to obtain his newest stock of custom-made clothing, much below the usual figures, and if persons in the least desiring good clothing at

Low Prices!
will certainly find it greatly to their interest to examine for themselves before the largest bulk of his stock will be sold, as he means to sell out his entire stock before the 1st of April, AT COST.

FIND THE PLACE!
108 MAIN STREET, 108
Adjoining Empire Office. **H. SWARZ.** *dec25-6mds*

WALKER & TURNER,
—DRAFTER—
CLOTHING!

Boots & Shoes,
No. 33 THIRD STREET, DAYTON, OHIO.

William Walker having associated with himself in business, Mr. Perry Turner, the new firm are now prepared to accommodate their customers with every article of gentlemen's wearing apparel of the latest style and best quality. Those who want COATS, PANTS, VESTS, SHIRTS, HOSIERY, HANDKERCHIEFS, GLOVES, BOOTS, SHOES, SLIPPERS, &c., Will do well to give them a call

Also on hand, a complete assortment of
Boys' Clothing!
Remains the old stand No. 33 Third Street, *dec25-6mds* WALKER & TURNER.

Greatest Invention of the Age.
SELF-RAISING FLOUR!

Advantages of Self-Raising Flour.
THE SAVING OF TIME IN PREPARING IT FOR THE oven, and the certainty of the results in any climate, difference of temperature not affecting it; while the fermenting process by yeast is essentially dependent on temperature, and can not be used with success in either very hot or very cold climates, and with every facility occupies several hours, and is then very uncertain in its results.

The SELF-RAISING FLOUR will be found decidedly the cheapest that can be used for household purposes. A VERY THIRTY PER CENT. in butter, eggs, and making the most superior bread, light pastry, cakes, puddings, dumplings, kaffir and griddle cakes, etc., with much economy of time and trouble. Directions for using, accompanying each package. For sale in sacks or by the barrel at

T. R. GILLIS' FLOUR STORE,
Fourth street, just east of Main, Dayton, Ohio, where all orders should be addressed. *dec25-6mds*

Notice to Bridge Contractors.
SIXTH STREET BRIDGE,
CITY OF DAYTON.

ADDITIONAL ORDERS, MONTGOMERY CO., O., DAYTON, December 5, 1865.

SEALED PROPOSALS WILL BE RECEIVED AT the Auditor's Office until Monday, January 1, 1866, 12 o'clock, A. M., by a Joint Committee, composed of Marcus Bondar, John Smith, and John W. Blair, Bridge Committee of the city of Dayton, and James Applegate, a Committee appointed by the Board of Civil Commissioners.

To build an iron bridge across the canal on Sixth street, in the city of Dayton, as follows: It is to be a clear span of 100 feet, with a side walk on one side, five feet in width, supported by a sixty feet in width, more or less. It is to be made by the single foot. Each holder is also required to present and bid upon his own plan and specifications. The Committee reserve the right to reject any or all bids if they think proper.

MARCUS BONDAR,
Chairman Bridge Com.

JOHN FRIDAY'S ESTATE.—ON THE 23rd day of November, 1865, the undersigned was appointed and qualified administrator of the estate of John Friday, late of Montgomery county, Ohio, deceased.

dec25-6mds ELIAS GEDDART.

New Advertisements.

NEW ESTABLISHMENT.
FASHIONABLE
OPERA HOUSE
HAT STORE.

Every Description of Hats and Caps, Ladies' and Children's Furs, Robes, &c., &c.

THE UNDERSIGNED DESIRES TO INFORM THE public that HE HAS NOW OPENED,

AND WILL KEEP CONSTANTLY ON HAND,

EVERYTHING THAT IS NEW AND DESIRABLE,

IN THE ABOVE LINE.

Everything in the Market. THAT IS

Attractive, Desirable or New

Added from Time to Time; MAKING IT ONE OF THE

Most Complete Establishments, OF THE KIND, IN THE STATE.

Ladies and Children's

FINE FURS!

OF THE CHOICEST AND RICHEST QUALITIES SOLD IN THE WEST,

AT Lower than Cincinnati Prices. I respectfully solicit an examination of stock. *dec25-6mds* E. A. HERMAN, No. 24 Main Street, Dayton, Ohio.

J. V. NAUERTH & SON,

WHOLESALE AND RETAIL

DEALERS IN FOREIGN, CANNED and DRIED

FRUITS.

Also, oysters, Candles, Nuts, Wines, Cigars, Fire-Works, &c., &c., &c.

dec25-6mds J. V. NAUERTH & SON, 103 Main Street.

NO MEDICINE GIVEN.

DR. DODGE,

Lexington Avenue, NEW YORK,

PRACTICAL PHYSICIAN

—FOR—

CHRONIC DISEASES,

LATE OF NEW YORK CITY, ALBANY, MONTREAL, QUEBEC, DETROIT, CHICAGO, ST. LOUIS AND CINCINNATI, HAS TAKEN

PARLORS, Nos. 3 and 4, at the

PHILLIPS HOUSE.

IN THE CITY OF DAYTON.

Where HE WILL HEAL THE SICK.

—FROM—

Monday, December 4th, 1865,

—TO—

Friday, December 20th, 1865.

HE WILL POSITIVELY REMAIN NO LONGER.

WITHIN HE MAY BE CONSULTED.

—FROM—

9 UNTIL 8 P. M. EACH DAY.

No Medicines Given!

No Surgical Operations Performed!

Chronic Disease Cured!

Acute Pain Instantly Relieved!

THE LAME WALK!

THE BLIND SEE!

THE DEAF HEAR!

Over Fifty Thousand Operations

FIVE YEARS.

Medical.

DR. STEVENS & CO.

PRIVATE DISEASES CURED IN THE SHORTEST possible time, at the Cincinnati Lock Hospital, 74 West Third street, between Walnut and Vine, upstairs, without the use of Mercury, loss of time, or change of diet.

Dr. STEVENS, by special study and experience in the hospitals of Baltimore, London and Paris, is enabled to guarantee a cure in the most complicated cases. Recent cases of Gonorrhea or Syphilis cured in a few days, without change of diet, or loss of time, and without the use of Mercury. Victims of self-abuse and excessive venery, suffering from Spermatorrhea, and loss of physical and mental power, Indigestion or Constipation, Protrusion of the Liver, Dropsy, and Consumption, by ignorant men, who mistake the effects for the causes of the evil, and thus multiply both.

Married men, and those contemplating marriage, should restore vigor to their bodies and minds, ere the fatal injury and disease upon those of their posterity.

Diseases peculiar to females treated. A cure guaranteed in all cases. Persons at a distance promptly cured, by advice, and a statement of cause. Dr. STEVENS & CO., 74 West Third street, Cincinnati, Ohio.

Office hours from 8 A. M., to 5 P. M.; Sundays to 11 A. M. *dec25-6mds*

OYSTERS, OYSTERS!!

LOOK OUT FOR THE LOCOMOTIVE!

OYSTERS.

XX FRESH OYSTERS XXX.

I am now in daily receipt of the best brands of FRESH BALTIMORE OYSTERS

Direct through from the Bay by Fast Express. I am determined to supply my customers with the best oysters in the world, and at the lowest prices. I will serve you by the whole or half can, case or dozen cases. Warranted good. Give me one call and if I do not prove the above I will not be your servant.

dec25-6mds A. L. DUNLEVY, Ocena Building, Fifth street, on canal

I. DAVIS & SONS,

COAL AND WOOD!

ARE SUPPLYING CONSUMERS WITH THE BEST COAL!

That can be had, both for house and steam purposes CHEAP AS THE CHEAPEST!

The best quality of WOOD, long, sawed, or split, always on hand.

CALL & EXAMINE OUR PRICES

December 22, 1865. *dec25-6mds*

HUSBANDS!!

WHAT MORE APPROPRIATE CHRISTMAS present, as you make to your WIVES than a LIFE INSURANCE POLICY

In the old reliable

Phoenix Mutual!

OF HARTFORD, CONN.?